

Proposed recommendation on SJ2:

The Water Policy Interim Committee issues this report as a conclusion to the SJ2 study and its evaluation of permits for waterway projects and state assumption of federal section 404 permits.

The WPIC remains concerned over the implementation of the Clean Water Rule (citation). Because of this concern, if the Clean Water Rule eventually ruled enforceable, the committee recommends:

- the Department of Environmental Quality assume the federal Section 404 program by development of an adequate program description and a memorandum of agreement with the Environmental Protection Agency's regional administrator and the Secretary of the Army, and
- the Montana Legislature approve legislation providing adequate authority to carry out the program and meet the applicable requirements of the Section 404 program.